

REMARKS

Claims 1-34 are pending in this application and presently stand subject to a restriction / election requirement. The Office Action identifies two groups of inventions, in which Group I encompasses claims 1-17, and Group II encompasses claims 18-34, wherein claims 1 and 18 are the only pending independent claims.

Pending resolution of the present Request for Reconsideration, Applicant provisionally elects Group I with traverse.

As an initial matter, Applicant respectfully notes that contrary to the classifications stated in the restriction/ election requirement, both the independent claim 1 (in Group I) and independent claim 18 (in Group II) actually recite "wireless network." Thus, to the extent that the Examiner considers claims 1-17 in Group I to be drawn to a hearing aid wireless network, the same is also true with respect to claims 18-34. Thus, the claims should not be restricted based on the foregoing basis.

Furthermore, as discussed with the Examiner on April 15, 2009, that claim 18 recites "first and second hearing aid" also cannot be the basis for the restriction / election requirement. This is evidenced by the fact that dependent claim 13 also recites "first and second hearing aid" and is considered to be part of Group I in the restriction/election requirement.

For at least the foregoing reasons, Applicant requests that the restriction/election requirement be withdrawn, and that claims 1-34 be examined.

**CONCLUSION**

If the Examiner has any questions or comments regarding this response, the Examiner is respectfully requested to contact the undersigned at the number listed below.

The Commissioner is authorized to charge any fees due in connection with the filing of this document to Vista IP Law Group's Deposit Account No. **50-1105**, referencing billing number **GNR P466 PCT US**. The Commissioner is authorized to credit any overpayment or to charge any underpayment to Vista IP Law Group's Deposit Account No. **50-1105**, referencing billing number **GNR P466 PCT US**.

Respectfully submitted,

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